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SELLS, T EXAMINER

ART UNIT PAPER NUMBER

1304

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DATE MAILED: 10/25/95

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS This application has been examined Responsive to communication filed on 7-5-95 This action is made final.A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892.
2. Notice of Draftsman's Patent Drawing Review, PTO-948.
3. Notice of Art Cited by Applicant, PTO-1449.
4. Notice of Informal Patent Application, PTO-152.
5. Information on How to Effect Drawing Changes, PTO-1474.
6. _____

Part II SUMMARY OF ACTION

1. Claims 1 - 20 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. Claims _____ have been cancelled.3. Claims _____ are allowed.4. Claims 1 - 20 are rejected.5. Claims _____ are objected to.6. Claims _____ are subject to restriction or election requirement.7. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.8. Formal drawings are required in response to this Office action.9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable; not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).10. The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been approved by the examiner; disapproved by the examiner (see explanation).11. The proposed drawing correction, filed 7-5-95, has been approved; disapproved (see explanation).12. Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____.13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.14. Other

EXAMINER'S ACTION

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15. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

16. Claims 1-4, 8-14, 17 are rejected under 35 U.S.C. § 103 as being unpatentable over Brink (US Patent 4,619,728) in view of Dresser (US Patent 3,309,983) in further view of Kirwan (US Patent 4,151,900).

Brink discloses a laminating apparatus. As shown in Figs. 1 and 3, the apparatus includes laminating rollers 2 and 3 mounted in upper frame side plates 6 and lower frame side plates 7, respectively. These rollers are heated by internal cartridge elements 15 and 16, and are movable relative to each other by screw spindle member 21 which pivots upper frame plates 6 about pivot 8 relative to lower plates 7 as shown in Fig. 3.

Laminating films 4 and 5, supplied from rolls 13 and 14, are fed

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to laminating rollers 2 and 3 and assembled with an article 1 to be laminated. Rollers 2 and 3 are driven by central driving shaft 8 via gear wheels 9 and 10 and chains 11 and 12.

However, Brink does not disclose the mounting means or the feed tray as claimed by the applicant. Regarding this difference, the applicant is directed to the reference of Dresser.

Dresser discloses a continuous laminator. As shown in Figs. 1 and 3, the laminator comprises supply rolls 30 and 36, mounted to the frame via arms 18, 20, 38 and 40, and journal portions 26, 42 and 44 with slots therein. The laminator further comprises feed tray 16 for facilitating feed of individual articles to laminating rollers 62 and 92.

It would have been obvious to one having ordinary skill in the art to have employed a feed tray and mounting system, as is known from Dresser, in the apparatus of Brink in order to facilitate feed of the individual articles and films to the laminating rollers because both references are directed to devices for laminating individual articles with films fed from supply rolls. Further, it is the examiner's position that biasing means for feed rolls are well known and would have been obvious to one having ordinary skill in the art to incorporate in the device above to hold the feed rolls in the mounting slots.

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However Brink does not disclose the pre-tensioning means as claimed by the applicant. Regarding this difference, the applicant is directed to the reference of Kirwan.

Kirwan discloses a brake assembly for a rotatable shaft. As shown in Fig. 1, rotating shaft 12 carries a fully wound supply roll 14 of feed material 15 for common rotation about its longitudinal axis. The rotating shaft 12 is supported at one end in brake assembly 10 while the opposite end is journaled in a bearing (not shown). Thus shaft 12 has the same cantilevered configuration as the applicant's claimed invention. As shown in Figs. 2-3 of Kirwan, the brake assembly 10 includes threaded brake rod 46, adjusting nut 48, pivot pin 49, clevis 50, shoe or sleeve 52, and lining 54.

The above described brake system of Kirwan advantageously provides uniform tension in the material being fed without heat build up (see column 1, lines 47-50).

It would have been obvious to one having ordinary skill in the art to have employed a pre-tensioning brake assembly, as is known from Kirwan, in the apparatus of Brink in order to provide uniform tension in the material being fed without heat build up because both references are directed to devices for feeding sheet materials from supply rolls.

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17. Claims 5, 7, 15 and 18 are rejected under 35 U.S.C. § 103 as being unpatentable over Brink in view of Dresser in further view of Kirwan as described above in paragraph 16 in further view of Levitan (US Patent 3,737,359).

Leviton discloses a laminating machine comprising supply rolls 24 and 26 for supplying films to heated pressure roller assemblies 34 and 38. Tension adjusting assemblies 28 are employed to provide wrinkle-free lamination of the films. After lamination, tear blade assembly 46 is employed to cut the finished laminate as desired.

It would have been obvious to one having ordinary skill in the art to have employed a tear blade assembly and film tensioning assemblies, as is known from Levitan, in the apparatus of Brink in order to provide wrinkle-free laminations and easy separation of individually laminated articles because both references are directed to devices for laminating individual articles with films fed from supply rolls.

18. Claims 6 and 19 are rejected under 35 U.S.C. § 103 as being unpatentable over Brink in view of Dresser in further view of Kirwan as described above in paragraph 16 in further view of Humphries (US Patent 3,901,758).

Humphries discloses a laminator with offset rollers. As shown in Fig. 5, the axes of laminating rollers 52 and 54 are

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positioned along inclined line 106 in order to reduce or eliminate curl of the finished product (see column 1, lines 51-55; column 5, lines 31-44 and column 7, lines 56-58).

It would have been obvious to one having ordinary skill in the art to have employed offset laminating rollers, as is known from Humphries, in the apparatus of Brink in order to reduce or eliminate curl of the finished products because both references are directed to devices for laminating films to both sides of articles.

19. Claims 16 and 20 are rejected under 35 U.S.C. § 103 as being unpatentable over Brink in view of Dresser in further view of Kirwan and Levitan as described above in paragraph 17 in further view of Thomas (US Patent 2,647,299).

Thomas discloses a roller construction. This construction comprises roll core 1 with internal spring 2 which biases against end plate or cap 4a in the manner claimed by the applicant. Cap or plate 4a has a bushing which forms a projection and facilitates mounting of the roll.

It would have been obvious to one having ordinary skill in the art to have employed a spring biased roller construction, as is known from Thomas, in the apparatus of Brink in order to facilitate mounting of the rolls because both references are directed to devices with mounted rollers.

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20. The applicant's arguments regarding the art rejections are not deemed persuasive.

The applicant argues Brink discloses a hot-melt machine while the applicant's invention is a "cold" device. This may be true. However, the applicant's claim language includes the term "comprising", thus permitting any additional features to be added to the claimed structure. One such feature may include a heating system for heating the films. Therefore the applicant's argument is believed to be irrelevant in this instance.

The applicant's arguments regarding the pre-tensioning means are deemed moot in view of the new grounds of rejection.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Sells whose telephone number is (703) 308-2090. The examiner can normally be reached Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Simmons, can be reached at (703) 308-1972. The fax phone number for this Group is (703) 305-7718.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0651.

22. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

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A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

23. Applicant is encouraged to FAX After Final Amendments (37 CFR 1.116) to expedite delivery to the Examiner. The Group 1300 facsimile number is 305-7718. A duplicate mailed copy of the facsimile transmission is not required and will only serve to delay processing of your application.

If Applicant prefers to mail in After Final correspondence it is highly recommended that such be mailed BOX AF which will also facilitate processing from the mailroom and within Group 1300.

D.A.S.
DAVID A. SIMMONS
SUPERVISORY PATENT EXAMINER
ART UNIT 13A